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From: Ham-Policy Mailing List and Newsgroup <ham-policy@ucsd.edu>
Errors-To: Ham-Policy-Errors@UCSD.Edu
Reply-To: Ham-Policy@UCSD.Edu
Precedence: Bulk
Subject: Ham-Policy Digest V94 #237
To: Ham-Policy

Ham-Policy Digest Sat, 4 Jun 94 Volume 94 : Issue 237

Today's Topics:

Legal Protections for Hams (2 msgs)

Send Replies or notes for publication to: <Ham-Policy@UCSD.Edu>
Send subscription requests to: <Ham-Policy-REQUEST@UCSD.Edu>
Problems you can't solve otherwise to brian@ucsd.edu.

Archives of past issues of the Ham-Policy Digest are available
(by FTP only) from UCSD.Edu in directory "mailarchives/ham-policy".

We trust that readers are intelligent enough to realize that all text
herein consists of personal comments and does not represent the official
policies or positions of any party. Your mileage may vary. So there.

Date: Fri, 3 Jun 1994 22:08:51 GMT
From: ihnp4.ucsd.edu!swrinde!howland.reston.ans.net!europa.eng.gtefsd.com!
newsxfer.itd.umich.edu!news1.oakland.edu!rcsuna.gmr.com!kocrsv01!
news@network.ucsd.edu
Subject: Legal Protections for Hams
To: ham-policy@ucsd.edu

In <Cqtq3s.Fu1@ss3.magec.com>, pegood@ss3.magec.com (Peter E. Goodmann) writes:
> [...]
>On a VERRRRY loosely related subject, how about eliminating the
>"industrial exemption" clause in your state's engineering registration law?
>These exemptions, which most if not all states have, allow unlicensed
>"engineers" (who may not even have any engineering education or experience)
>to practice as engineers as long as they only design manufactured goods. Would
>you allow an unlicensed physician, who can only kill one person at a time to
>practice medicine? How about an unlicensed automotive "engineer" who could
>kill many people with a single mistake?
>

I'm not very comfortable with the concept of "licensing" people to do work.

If somebody is good at programming and I think that person is capable and

responsible, I should be able to get computer programs from that person regardless of whether a license to practice has been issued.

(Now change computers to people and read that paragraph again:)

If somebody is good at medicine and I think that person is capable and responsible, I should be able to get medical care from that person regardless of whether a license to practice has been issued.

However, I'd be very happy if some trustworthy organization had a set of standards for "certifying" people. If my doctor friend were certified by, say, the A.M.A. as a capable general practitioner, that would be great. Imagine the A.M.A.'s "public service" announcements: "Make sure you're being treated by an A.M.A.-certified physician!" Malpractice insurance providers could base their rates on levels of certification.

And the S.A.E. could certify people as skilled automotive engineers without some regulatory body preventing "unlicensed" people from working. A company might choose not to hire an "uncertified worker", but government regulations shouldn't have to enter into it.

=====

Alan Anderson || If they put a bunch of cattle in orbit,
(Ham Radio WB9RUF) || would it be the herd shot 'round the world?
My views may not necessarily be those of Delco Electronics or its management.

Date: 3 Jun 1994 23:27:21 GMT
From: ihnp4.ucsd.edu!agate!darkstar.UCSC.EDU!news.hal.COM!olivea!ncd.com!
newshost.ncd.com!sheridan.ncd.com!stevew@network.ucsd.edu
Subject: Legal Protections for Hams
To: ham-policy@ucsd.edu

In article <Cqtq3s.Fu1@ss3.magec.com>, pegood@ss3.magec.com (Peter E. Goodmann) writes:
|> -How about protection from lawsuits related to TVI, telephone interference,
|> and other forms of RFI caused by poorly designed consumer products and/or
|> Part 15 devices operating on frequencies assigned to the Amateur service?

I see a couple of problems with the above.

First, consider that the state doesn't have any authority in the areas of TVI, RFI, or the design quality of consumer goods. The original poster is running for a STATE legislature. (FCC has authority for all of the above, and has claimed such will through federal preemption of same.)

The second problem I see with the statement Pete made is the assumption that

these consumer goods are "poorly designed." Such goods are designed to meet specific standards put in place by FCC, et al. Part of what I use as a working description of a good design is whether the product does the required job for the cheapest manufacturing cost. From this point of view, designing in protective circuitry to eliminate interference from an amateur radio station as an example, isn't required, would make the product cost higher, and therefore, doesn't meet the metric I mentioned!

This isn't to say that I wouldn't like to see such protective circuitry in consumer electronics. The reality of being a designer in the consumer world is that these protections AREN'T required, and consequently aren't there. The place to go bang on is either Congress, or the FCC who DOES have the authority to mandate such design practices. You simply aren't going to see them there until it is mandatory. I guess my main points are that the original poster isn't in a place to help, and the designers aren't the ones to blame.

Lastly, part 15 devices are allowed to run on Amateur service frequencies due to FCC policy. Again, this is the place where any corrections are going to start, though I doubt such will ever occur. ARRL DID comment about possible interference when the new part 15 rules were adopted. Their comments fell on deaf ears.

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|> On a VERRRRY loosely related subject, how about eliminating the  
|> "industrial exemption" clause in your state's engineering registration law?  
|> These exemptions, which most if not all states have, allow unlicensed  
|> "engineers (who may not even have any engineering education or experience)  
|> to practice as engineers as long as they only design manufactured goods. Would  
|> you allow an unlicensed physician, who can only kill one person at a time to  
|> practice medicine? How about an unlicensed automotive "engineer" who could  
|> kill many people with a single mistake?  
|>  
|> Thanks, and good luck!!  
|>  
|> 73,  
|> Pete Goodmann, P.E., NI9N  
|>  
|>
```

Responding to the above is the REAL reason I'm posting! Pete, as soon as a PE license has RELEVANT material, i.e. tests me on items that are relevant to design field I'm in, then I'll consider going and getting a PE. Currently, the PE is an absolutely USELESS piece of paper for me and at the same time has NO bearing on the field I'm in. If I were designing bridges or buildings this wouldn't be true, but the current test structure in CA doesn't come close to being relevant to computer design! For instance, there just isn't that much need to apply fluid flow theory to designing a new PC. I need to know about computer architecture, computer languages, functionality available in current logic families, compatibility between logic families, EMI, RFI considerations,

etc. Most of the above ISN'T covered on the PE last time I looked. The fact is that they would ask me things that I forgot soon after I graduated that have no bearing on what I see as a practicing engineer in a commercial setting. Consequently, the test does NOTHING to insure that I am competent to practice in my particular specialty.

So, to answer your question...Would I want an unlicensed automotive "engineer" to design the vehicle I'm riding in... I suspect I already am ;-) So, I guess I wouldn't mind! Certainly, there have been vehicle recalls over the years due to design mistakes, but if memory serves, a lot of these were due to management decisions, not engineering decisions, i.e. the design flaw was discovered, but management swept the issue under the rug. Happens all the time. How would a "licensed" engineering staff have made a difference here?

Steve Wilson, KA6S - -- PE ;-)

End of Ham-Policy Digest V94 #237
